



US Army Corps
of Engineers
Seattle District



Joint Public Notice

Application for a Department of the Army Permit and a Washington Department of Ecology Water Quality Certification and/or Coastal Zone Management Consistency Concurrence

US Army Corps of Engineers
Regulatory Branch
Post Office Box 3755
Seattle, WA 98124-3755
Telephone (206) 766-6438
Attn: Amy S. Klein, Project Manager

WA Department of Ecology
SEA Program
300 Desmond Drive Southeast
Olympia, WA 98503-7600
Telephone (360) 407-6068
Attn: SEA Program, Federal Permit
Coordinator

Public Notice Date: March 23, 2007
Expiration Date: April 21, 2007

Reference No.: NWS-2007-233-NO
Name: Muckleshoot Indian Tribe

Interested parties are hereby notified that the U.S. Army Corps of Engineers (Corps) and the Washington Department of Ecology (Ecology) have received an application to perform work in waters of the United States as described below and shown on the enclosed drawings.

The Corps will review the work in accordance with Section 404 of the Clean Water Act (CWA). Ecology will review the work pursuant to Section 401 of the CWA, with applicable provisions of State water pollution control laws and the Coastal Zone Management Act.

APPLICANT: White River Hatchery
Muckleshoot Indian Tribe
Mr. Richard Johnson
25305 Southeast Mud Mountain Road
Enumclaw, Washington 98022
Telephone: (253) 876-3353

LOCATION: In the White River at the White River Hatchery, 25305 Southeast Mud Mountain Road, Enumclaw, Washington 98022.

WORK: Excavate and place 48 cubic yards of natural river gravel in mid-April annually for five years.

PURPOSE: To address fish passage blockage caused by annual sediment accumulation.

ADDITIONAL INFORMATION – A total of 48 cubic yards of natural river gravel is proposed to be excavated and placed to create a temporary channel, 90 feet long by 5.25 feet wide by 2.75 feet deep, through an aggraded gravel bar near the outlet of the hatchery fish ladder. The excavated gravel will be deposited and spread to a depth of six inches evenly on portions of the gravel bar above the existing water line. No material will be deposited within the wetted perimeter of the river. The excavated channel and dredged deposit layer will be completed in a manner to contain no pits, potholes, or large depressions that may strand fish. A medium-sized track hoe excavator stationed on the gravel bar will be used to dig the channel and to smooth out the gravel spoils. The work will occur in mid-April, annually (if needed), for five years and take approximately eight hours to complete each time.

It is anticipated that the surface water connection between the fish trap outlet and the main flow of the White River may become too shallow for fish migration in the spring, or will be completely blocked off by sediment deposition following the winter high flows. A similar situation arose in April of 2006, blocking fish passage. Excavation and placement of 48 cubic yards was authorized under an emergency maintenance permit at that time (Corps Reference Number 200600434). Since this situation may arise annually, the Tribe seeks a permit to allow for the work annually for five years. A channel through accumulated sediments may need to be excavated in mid-April of each year so that the juvenile and adults can migrate between the river and the hatchery. In mid-April, approximately 57,000 threatened White River Spring Chinook yearling smolts will be volitionally released from the hatchery rearing pond through the fish trap ladder to the White River, along with 22,000 steelhead smolts. Adult spring Chinook will begin returning in May and these fish need to enter the hatchery trap through the fish ladder. Sediment deposits may prevent both fish released and adult returns at the hatchery facility. Yearling smolt releases from the White River Hatchery are a key component in the White River Spring Chinook rebuilding program.

MITIGATION: None proposed.

ENDANGERED SPECIES: The Endangered Species Act (ESA) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat. After receipt of comments from this public notice, the U.S. Army Corps of Engineers will evaluate the potential impacts to proposed and/or listed species and their designated critical habitat.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed action would impact EFH in the project area.

If the U.S. Army Corps of Engineers (Corps) determines that the proposed action may adversely affect EFH for federally managed fisheries in Washington waters, the Corps will initiate EFH consultation with the NMFS. The Corps' final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

CULTURAL RESOURCES: The District Engineer has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. Known historic properties occur in the vicinity of the proposed project. However, they do not occur in the permit area. The proposed work is of such a limited nature and extent (*has been extensively modified by modern development*) that little likelihood exists for the proposed project to impinge upon an undisturbed historic property. The District Engineer invites responses to this public notice from Native American Nations or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns with historic properties in the area. This public notice initiates consultation under Section 106 of the National Historic Preservation Act with any Tribe that has information or concerns with historic properties in the proposed permit area.

EVALUATION – CORPS - The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water

supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The Corps is soliciting comments from the public; Native American Nations or tribal governments; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

The described discharge will be evaluated for compliance with guidelines promulgated by the Environmental Protection Agency under authority of Section 404(b)(1) of the CWA. These guidelines require an alternatives analysis for any proposed discharge of dredged or fill material into waters of the United States.

EVALUATION—ECOLOGY: Ecology is soliciting comments from the public; Federal, Native American Nations or tribal governments, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Ecology will be considering all comments to determine whether to certify or deny certification for the proposed project.

ADDITIONAL EVALUATION:

This proposal is under review for a Shorelines Substantial Development Permit exemption.

COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown below. Either conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commentor's name, address, and phone number. All comments whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration.

Corps comments: All e-mail comments should be sent to amy.s.klein@usace.army.mil. Conventional mail comments should be sent to U.S. Army Corps of Engineers, Regulatory Branch, Ms. Amy Klein, Post Office Box 3755, Seattle, Washington, 98124-3755.

Ecology Comments: Any person desiring to present views on the project pertaining to a request for water quality certification under Section 401 of the CWA, may do so by submitting written comments to the following address: Department of Ecology, Attn: SEA program – Federal Permit Coordinator, Post Office Box 47600, Olympia, Washington, 98503-7600, or e-mail to ecyfedpermit@ecy.wa.gov

To ensure proper consideration of all comments, responders must include the following name and reference number in the text of their comments: Muckleshoot Indian Tribe, Reference Number: NWS-2007-233-NO

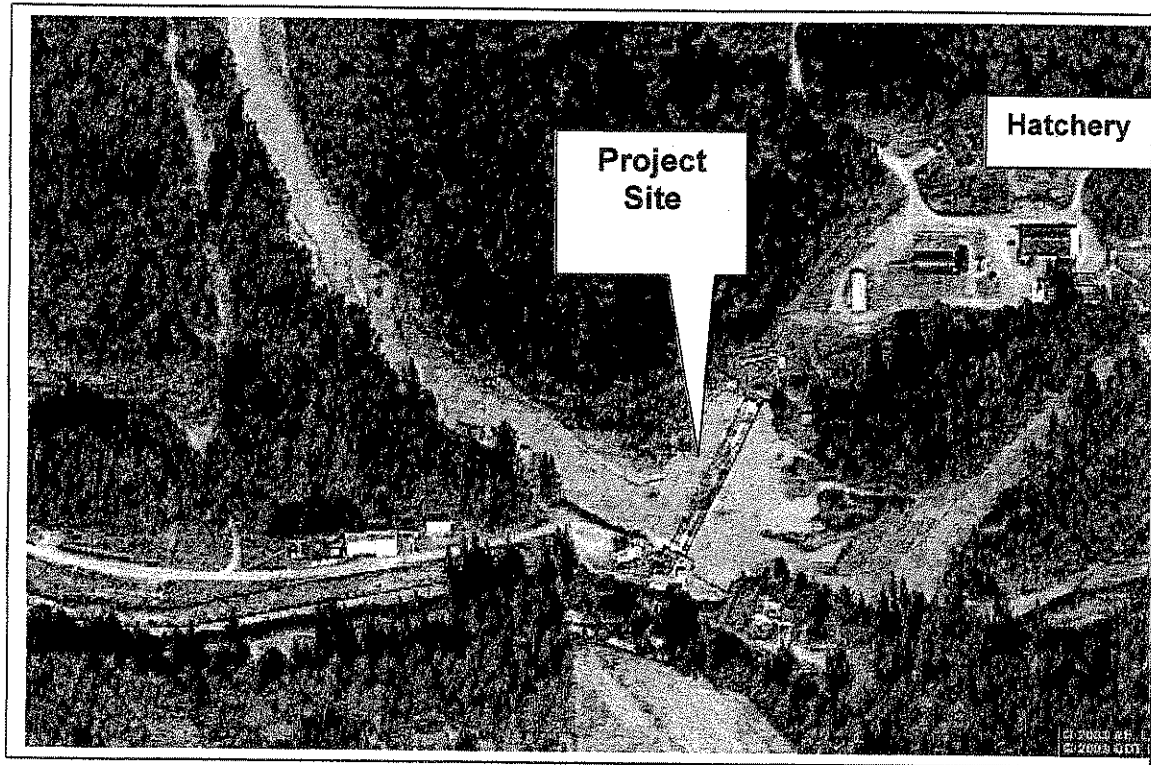
Encl: Figures (6)

This map shows the Project Site area in Boise, Idaho. The site is located near the intersection of Highway 410 and Highway 185. Major roads shown include Highway 410, Highway 185, and various local streets such as Se 456th St, Se 468th St, Se 471st St, Se 472nd St, Se 476th St, Se 480th St, Se 484th St, Se 488th St, Se 492nd St, Se 496th St, Se 500th St, Se 504th St, Se 508th St, Se 512th St, Se 516th St, Se 520th St, Se 524th St, Se 528th St, Se 532nd St, Se 536th St, Se 540th St, Se 544th St, Se 548th St, Se 552nd St, Se 556th St, Se 560th St, Se 564th St, Se 568th St, Se 572nd St, Se 576th St, Se 580th St, Se 584th St, Se 588th St, Se 592nd St, Se 596th St, Se 600th St, Se 604th St, Se 608th St, Se 612th St, Se 616th St, Se 620th St, Se 624th St, Se 628th St, Se 632nd St, Se 636th St, Se 640th St, Se 644th St, Se 648th St, Se 652nd St, Se 656th St, Se 660th St, Se 664th St, Se 668th St, Se 672nd St, Se 676th St, Se 680th St, Se 684th St, Se 688th St, Se 692nd St, Se 696th St, Se 700th St, Se 704th St, Se 708th St, Se 712th St, Se 716th St, Se 720th St, Se 724th St, Se 728th St, Se 732nd St, Se 736th St, Se 740th St, Se 744th St, Se 748th St, Se 752nd St, Se 756th St, Se 760th St, Se 764th St, Se 768th St, Se 772nd St, Se 776th St, Se 780th St, Se 784th St, Se 788th St, Se 792nd St, Se 796th St, Se 800th St, Se 804th St, Se 808th St, Se 812th St, Se 816th St, Se 820th St, Se 824th St, Se 828th St, Se 832nd St, Se 836th St, Se 840th St, Se 844th St, Se 848th St, Se 852nd St, Se 856th St, Se 860th St, Se 864th St, Se 868th St, Se 872nd St, Se 876th St, Se 880th St, Se 884th St, Se 888th St, Se 892nd St, Se 896th St, Se 900th St, Se 904th St, Se 908th St, Se 912th St, Se 916th St, Se 920th St, Se 924th St, Se 928th St, Se 932nd St, Se 936th St, Se 940th St, Se 944th St, Se 948th St, Se 952nd St, Se 956th St, Se 960th St, Se 964th St, Se 968th St, Se 972nd St, Se 976th St, Se 980th St, Se 984th St, Se 988th St, Se 992nd St, Se 996th St, Se 1000th St. The map also shows the Boise River and the King of the Hill area. A scale bar indicates distances up to 600 meters and 1800 feet. The map is copyrighted by MapQuest, Inc. in 2006.

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North

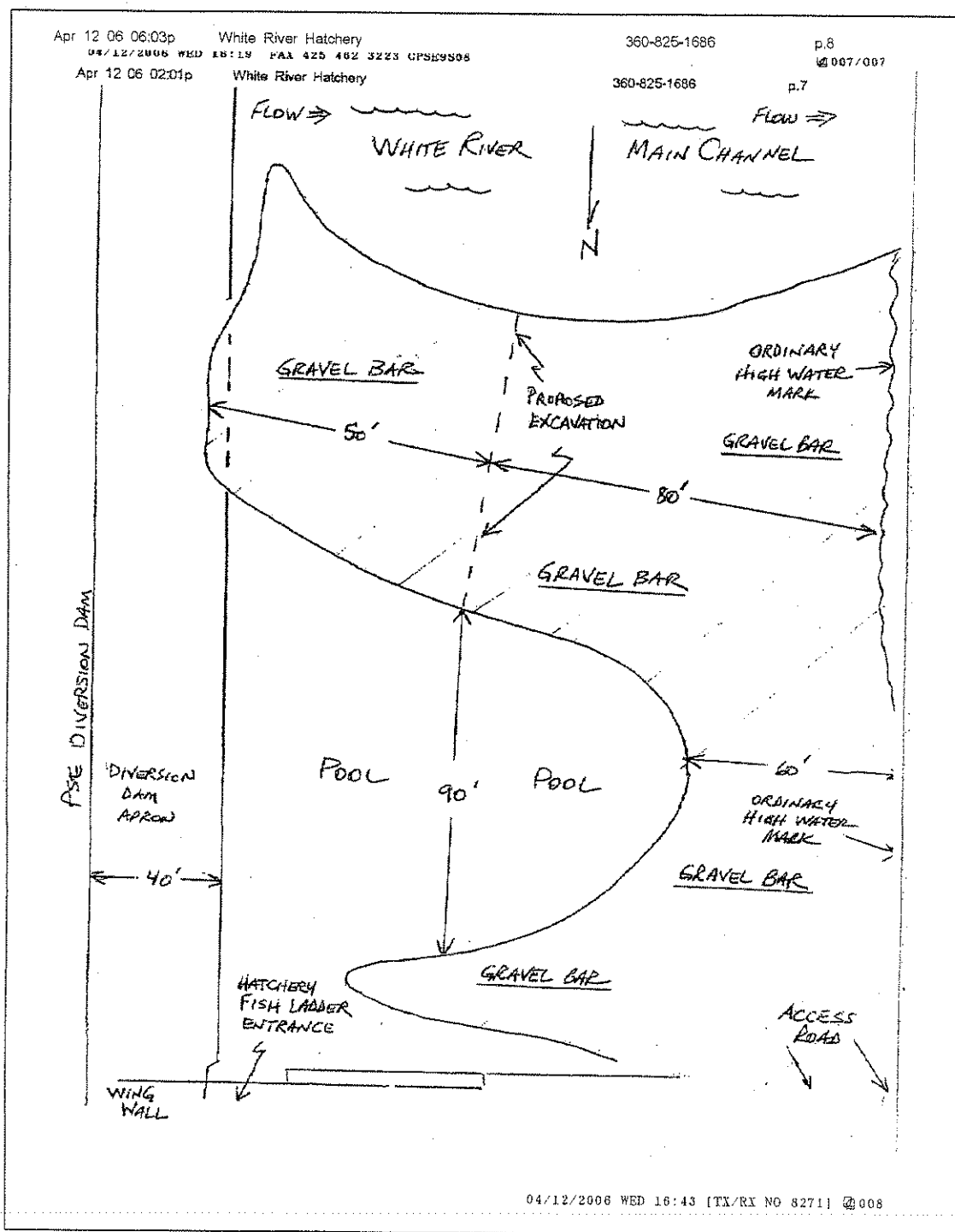
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Fig. 1/6

Project Site Map



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Fig. 2/4

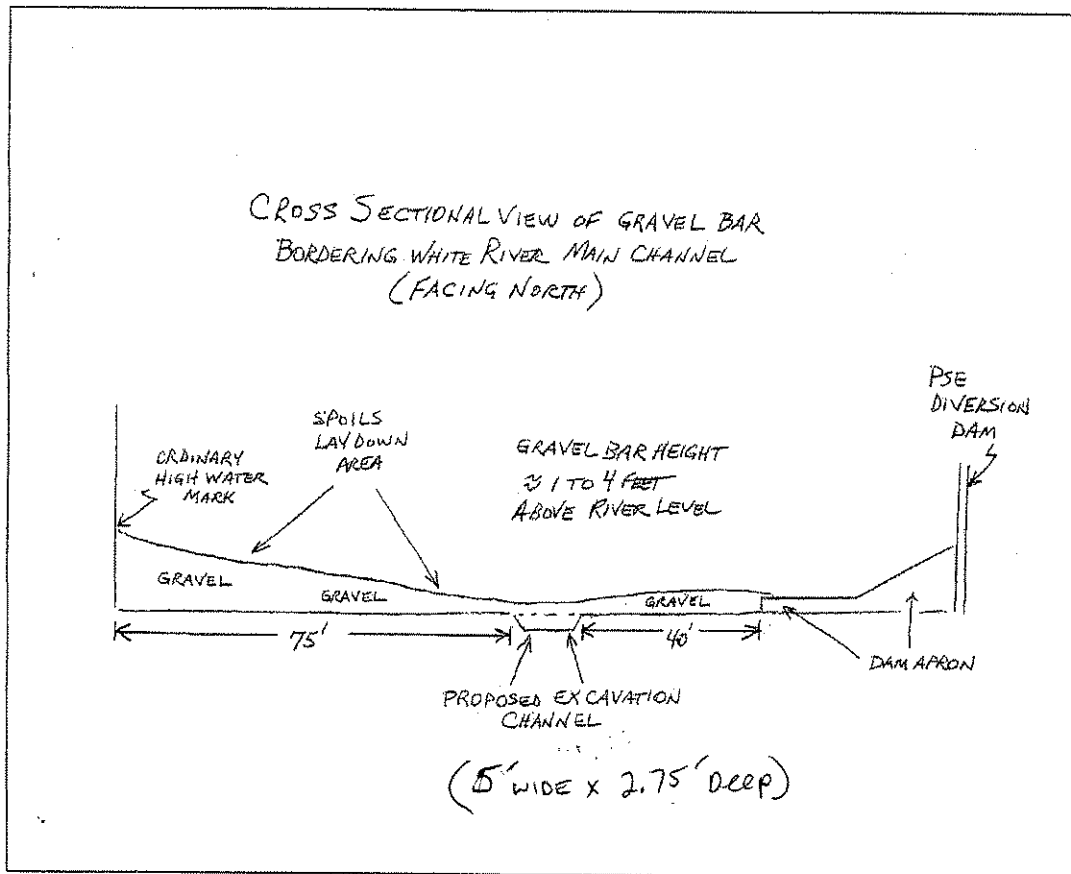
White River Hatchery Emergency Fish Passage Channel Excavation
Attachment 2- Drawings



Drawing 1 of 2: Plan view of existing gravel bar showing location of proposed excavation.

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Fig 3/6

White River Hatchery Emergency Fish Passage Channel Excavation
Attachment 2- Drawings



Drawing 2 of 2: Cross sectional view of proposed excavation channel.

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Fig. 4/6

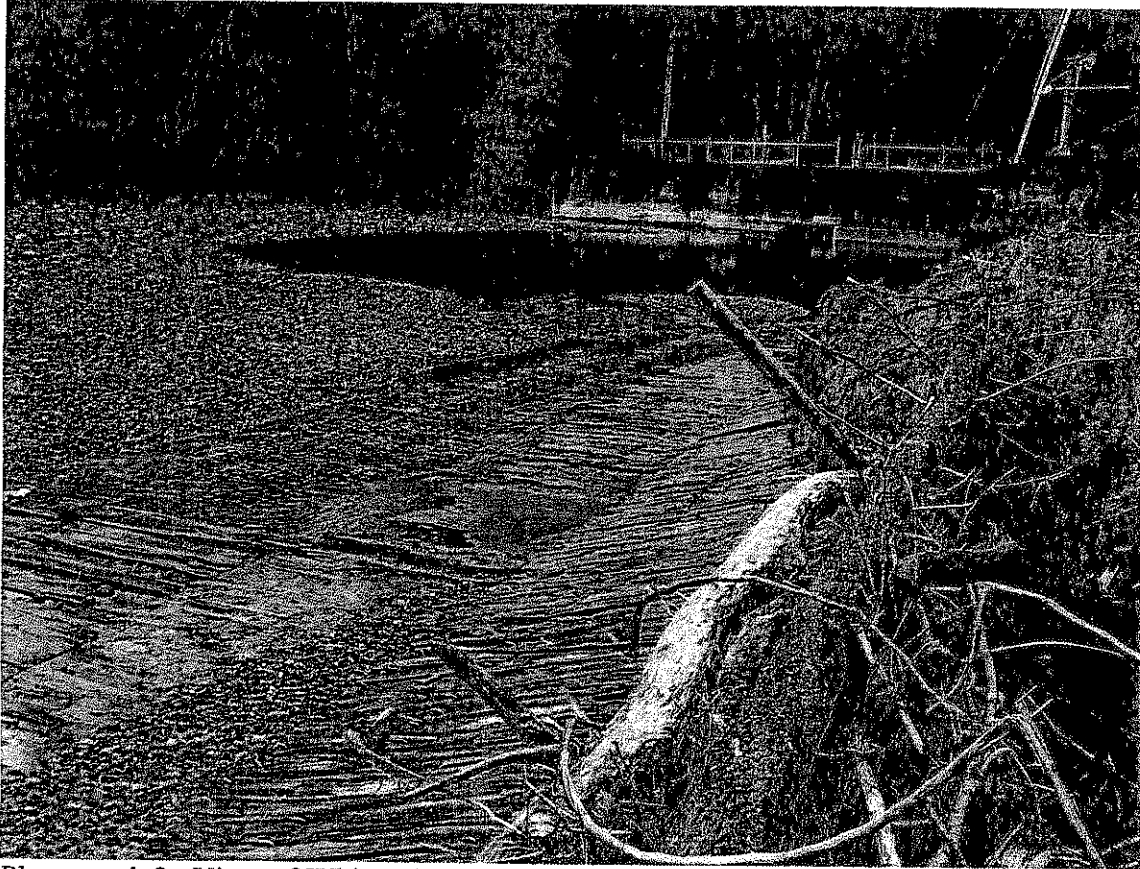
*White River Hatchery Emergency Fish Passage Channel Excavation
Attachment 3- Photographs (2)*



Photograph 1. View of the White River Hatchery complex (upper middle), Puget Sound Energy diversion dam and canal during typical gravel bar and wetted channel conditions providing adequate fish egress and ingress to the hatchery ladder outlet.

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Fig S16

*White River Hatchery Emergency Fish Passage Channel Excavation
Attachment 3- Photographs (2)*



Photograph 2. View of White River hatchery fish ladder outlet and gravel bar development below the Puget Sound Energy diversion dam in early April 2005. During April 2006, the surface water flow connection between the ladder outlet pool (visible in the upper middle of the photo) and the main flow of the White River became too shallow to pass fish. The project to mechanically excavate an emergency fish migration channel was proposed to facilitate the volitional release of spring chinook smolts from the hatchery ladder outlet, and to insure that returning adult spring chinook expected in May and June could enter the hatchery fish ladder.

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